

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Boris V. Marchegiani.

Serial No.: 09/496,389

Group Art Unit: 3696

Filed: 02/02/2000

Examiner: Ella Colbert

For: METHOD AND SYSTEM FOR  
AUTOMATED AUCTION AND TENDER  
OF COMPLEX MULTI-VARIABLE  
COMMODITIES

Atty. Doc. No.: 341-001

Honorable Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313

RESPONSE TO OFFICE ACTION

SIR:

In response to the Examiner's requirement under 35 U.S.C. 121 for an election/restriction, Applicant elects, without traverse, invention I to which claims 1, 4-6, and 8-11 are drawn, namely a system and method relating to an automated auction and tender of a multi-variable commodity. Accordingly, Applicant withdraws claims 15, 17, 19-22, 24, 26, 28, 38, and 39.

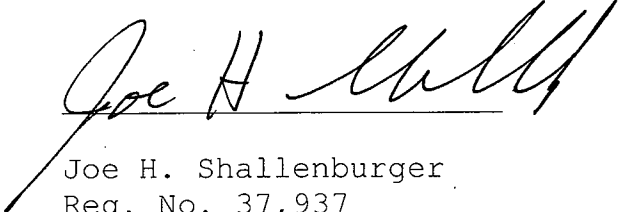
Applicant reserves the right to later prosecute the above-referenced withdrawn claims in divisional, continuation and continuation-in-part applications directed to inventions II, III, and IV as identified by the Examiner.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same. This response is being filed with a petition for a one-month extension of time. If any other fees are required, the Patent and Trademark Office is specifically authorized to charge such fee to Deposit Account No. 23-0420 in the name of Ward & Olivo.

Respectfully submitted,

Date

4/8/09

  
Joe H. Shallenburger  
Reg. No. 37,937  
Ward & Olivo  
382 Springfield Avenue  
Summit, New Jersey 07901  
(908) 277-3333